

1 WRIGHT, FINLAY & ZAK, LLP  
2 Edgar C. Smith, Esq.  
3 Nevada Bar No. 05506  
4 Robert A. Riether, Esq.  
5 Nevada Bar No. 12076  
6 7785 W. Sahara Ave., Suite 200  
7 Las Vegas, NV 89117  
8 (702) 475-7964; Fax: (702) 946-1345  
9 [rriether@wrightlegal.net](mailto:rriether@wrightlegal.net)

10 *Attorneys for Plaintiff/Counter/Cross-Defendant, U.S. Bank Trust, N.A., as Trustee for LSF9*  
11 *Master Participation Trust and MetLife Home Loans, LLC*

12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 U.S. BANK TRUST, N.A., AS TRUSTEE FOR  
15 LSF9 MASTER PARTICIPATION TRUST,

16 Plaintiff,

17 vs.

18 SFR INVESTMENT POOL 1, LLC; RIO  
19 VISTA HOMEOWNERS ASSOCIATION;  
20 ABSOLUTE COLLECTION SERVICES, LLC;  
21 DOE INDIVIDUALS I-X; ROE  
22 CORPORATIONS XI-XX,

23 Defendants.

24 SFR INVESTMENT POOL 1, LLC,

25 Counter/Cross-Claimant,

26 vs.

27 U.S. BANK TRUST, N.A., AS TRUSTEE FOR  
28 LSF9 MASTER PARTICIPATION TRUST;  
JOSHUA HOWARD, an individual,

Counter/Cross-Defendants.

Case No.: 2:16-cv-02604-JCM-PAL

**STIPULATION AND ORDER TO  
SUBSTITUTE METLIFE HOME  
LOANS, LLC IN PLACE OF U.S. BANK  
TRUST, N.A., AS TRUSTEE FOR LSF9  
MASTER PARTICIPATION TRUST  
AND TO AMEND THE CAPTION**

COMES NOW Plaintiff, Plaintiff/Counter/Cross-Defendant, U.S. Bank Trust,  
N.A., as Trustee for LSF9 Master Participation Trust (“U.S. Bank”) and MetLife Home Loans,  
LLC, Defendant SFR Investments Pool 1, LLC (“SFR”), Defendant Rio Vista Homeowners

1 Association (“HOA”), and Defendant Absolute Collection Services, LLC (“ACS”), by and  
2 through their counsels of record, hereby stipulate and agree as follows:

3 WHEREAS, the above-captioned matter concerns quiet title and declaratory relief claims  
4 regarding real property located at 9949 Morpeth Street, Las Vegas, Nevada 89178 (the  
5 “Property”), sold at a homeowner’s association foreclosure sale, which allegedly eliminated the  
6 Deed of Trust recorded with the Clark County Recorder’s Office on March 24, 2010, as Book  
7 and Instrument Number 20100324-0002461, identifying MetLife Home Loans, a Division of  
8 MetLife Bank, N.A. as Lender and Mortgage Electronic Registration Systems, Inc. (“MERS”) as  
9 the Beneficiary acting solely as a nominee for Lender and Lender’s successors and assigns (the  
10 “Deed of Trust”).  
11

12  
13 WHEREAS an Assignment of Deed of Trust, from MERS to MetLife Home Loans, a  
14 division of MetLife Bank, N.A. was recorded with the Clark County Recorder’s Office on  
15 January 24, 2011, as Book and Instrument Number 20110124-0000151.

16  
17 WHEREAS a Corporate Assignment of Deed of Trust, from MetLife Home Loans, a  
18 division of MetLife Bank, N.A. to JPMorgan Chase Bank N.A. (“JPM”) was recorded with the  
19 Clark County Recorder’s Office on October 17, 2013, as Book and Instrument Number  
20 20131017-0001337.

21  
22 WHEREAS a Nevada Assignment of Deed of Trust, from JPM to Secretary of Housing  
23 and Urban Development was recorded with the Clark County Recorder’s Office on August 25,  
24 2015, as Book and Instrument Number 20150825-0002663.

25  
26 WHEREAS an Assignment of Deed of Trust, from Secretary of Housing and Urban  
27 Development to U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (“U.S.  
28

1 Bank”) was recorded with the Clark County Recorder’s Office on August 25, 2015, as Book and  
2 Instrument Number 20150825-0002864.

3 WHEREAS an Assignment of Deed of Trust, from U.S. Bank to MetLife Home Loans  
4 LLC was recorded with the Clark County Recorder’s Office on July 20, 2017, as Book and  
5 Instrument Number 20170720-0002635.

6  
7 WHEREAS U.S. Bank disclaims any interest in the rights and title to the Deed of Trust  
8 and Property.

9 WHEREAS nothing herein shall be deemed or construed to affect, impair or waive any  
10 right, claim or defense of any party to this action, including MetLife Home Loans LLC, or any  
11 other successor-in-interest.  
12

13 NOW WHEREFORE, based on the foregoing,

14 IT IS HEREBY STIPULATED AND AGREED that MetLife Home Loans LLC shall be  
15 substituted in place and stead of U.S. Bank in the pending litigation and MetLife Home Loans  
16 LLC adopts all pleadings, motion practice and disclosure of documents and witnesses, including  
17 any expert witness, previously recorded, served and/or filed by U.S. Bank.  
18

19 //

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 IT IS FURTHER STIPULATED AND AGREED that the caption shall be amended to  
2 substitute MetLife Home Loans LLC in place of U.S. Bank as the named Plaintiff and  
3 Counter/Cross-Defendant.

4 IT IS SO STIPULATED:

5 Dated: July 31, 2017.

6  
7 WRIGHT, FINLAY & ZAK, LLP

KIM GILBERT EBRON

8 /s/ Robert A. Riether, Esq.  
9 Edgar C. Smith, Esq.  
Nevada Bar No. 05506  
10 Robert A. Riether, Esq.  
Nevada Bar No. 12076  
11 7785 W. Sahara Ave., Suite 200  
12 Las Vegas, NV 89117  
13 *Attorneys for Plaintiff/Counter/Cross-*  
14 *Defendants, U.S. Bank Trust, N.A., as*  
15 *Trustee for LSF9 Master Participation*  
*Trust and MetLife Home Loans, LLC*

/s/ Diana Cline Ebron, Esq.  
Diana Cline Ebron, Esq.  
Nevada Bar No. 10580  
7625 Dean Martin Drive, Suite 110  
Las Vegas, NV 89139  
*Attorneys for Defendant/Counter/Cross-*  
*Claimant, SFR Investments Pool 1, LLC*

16 BOYACK ORME & ANTHONY

ABSOLUTE COLLECTION SERVICES LLC

17 \*\*See Attached\*\*  
18 Edward D Boyack, Esq.  
Nevada Bar No. 5229  
19 Kelley K Blانيتk, Esq. (of counsel)  
Nevada Bar No. 12768  
20 7432 W Sahara Ave  
21 Las Vegas, NV 89117  
22 *Attorneys for Defendant, Rio Vista*  
*Homeowners Association*

/s/ Shane Cox, Esq.  
Shane Cox, Esq.  
Nevada Bar No. 13852  
8440 W. Lake Mead Blvd. # 210,  
Las Vegas, NV 89128  
*Attorney for Defendant, Absolute Collection*  
*Services, LLC*

23 Case No.: 2:16-cv-02604-JCM-PAL

24 **IT IS SO ORDERED**

25 Dated this \_\_\_\_ day of \_\_\_\_\_ 2017.

26  
27  
28 UNITED STATES MAGISTRATE JUDGE

1 IT IS FURTHER STIPULATED AND AGREED that the caption shall be amended to  
2 substitute MetLife Home Loans LLC in place of U.S. Bank as the named Plaintiff and  
3 Counter/Cross-Defendant.

4 IT IS SO STIPULATED:

5 Dated: July \_\_\_\_, 2017.

6 WRIGHT, FINLAY & ZAK, LLP

KIM GILBERT EBRON

8 \_\_\_\_\_  
9 Edgar C. Smith, Esq.  
10 Nevada Bar No. 05506  
11 Robert A. Riether, Esq.  
12 Nevada Bar No. 12076  
13 7785 W. Sahara Ave., Suite 200  
14 Las Vegas, NV 89117  
*Attorneys for Plaintiff/Counter/Cross-  
Defendants, U.S. Bank Trust, N.A., as  
Trustee for LSF9 Master Participation  
Trust and MetLife Home Loans, LLC*

\_\_\_\_\_   
Diana Cline Ebron, Esq.  
Nevada Bar No. 10580  
7625 Dean Martin Drive, Suite 110  
Las Vegas, NV 89139  
*Attorneys for Defendant/Counter/Cross-  
Claimant, SFR Investments Pool 1, LLC*

15 BOYACK ORME & ANTHONY

ABSOLUTE COLLECTION SERVICES LLC

16 Kelley K Blatnik, Esq. (of counsel)  
17 Edward D Boyack, Esq.  
18 Nevada Bar No. 5229  
19 Kelley K Blatnik, Esq. (of counsel)  
20 Nevada Bar No. 12768  
21 7432 W Sahara Ave  
22 Las Vegas, NV 89117  
*Attorneys for Defendant, Rio Vista  
Homeowners Association*

\_\_\_\_\_   
Shane Cox, Esq.  
Nevada Bar No. 13852  
8440 W. Lake Mead Blvd. # 210,  
Las Vegas, NV 89128  
*Attorney for Defendant, Absolute Collection  
Services, LLC*

Case No.: 2:16-cv-02604-JCM-PAL

23 IT IS SO ORDERED

24  
25 Dated this 7th day of August 2017.

26  
27   
28 UNITED STATES MAGISTRATE JUDGE

1  
2 Respectfully submitted by:  
3 WRIGHT, FINLAY & ZAK, LLP

4 /s/ Robert A. Riether, Esq.  
5 Edgar C. Smith, Esq.  
6 Nevada Bar No. 05506  
7 Robert A. Riether, Esq.  
8 Nevada Bar No. 12076  
9 7785 W. Sahara Ave., Suite 200  
10 Las Vegas, NV 89117  
11 *Attorneys for Plaintiff/Counter/Cross-*  
12 *Defendants, U.S. Bank Trust, N.A., as*  
13 *Trustee for LSF9 Master Participation*  
14 *Trust and MetLife Home Loans, LLC*  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28